

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

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In re	:	Chapter 9
	:	
CITY OF DETROIT, MICHIGAN,	:	Case No. 13-53846
	:	
Debtor.	:	Hon. Steven W. Rhodes
	:	
-----X	:	

**EX PARTE MOTION OF CITY FOR AN ORDER
AUTHORIZING IT TO FILE A REPLY IN EXCESS OF PAGE LIMIT**

The City of Detroit, Michigan (the “City”), as the debtor in the above-captioned case, hereby moves the Court for the entry of an order authorizing the City to file its Omnibus Reply (the “Reply”) to Objections to the City’s Motion for Approval of Postpetition Financing [Docket No. 1520] (the “Financing Motion”)¹ in excess of the 30-page limit imposed by this Court’s Order Establishing Motion Procedure [Docket No. 283] (the “Motion Procedure Order”).

1. The Financing Motion, filed on November 5, 2013, seeks the entry of an order authorizing the City to incur debt under the Purchase Agreements

¹ Capitalized terms not otherwise defined herein have the meanings given to them in the Financing Motion.

on the terms set forth in the Financing Motion and to enter into and perform under the Financing Documents.

2. Between November 21 and November 27, 2013, 15 parties filed objections to the Financing Motion (collectively, the “Objections”).²

3. Paragraph 3 of the Motion Procedure Order provides that, “[n]otwithstanding LBR 9014-1(e), a reply brief filed by the City shall not exceed 30 pages.” This paragraph further provides, however, that “[t]he City may file a motion to extend this page limit for cause shown.” Motion Procedure Order ¶ 3.

² The Objections were filed by: (i) Greektown Casino LLC and Detroit Entertainment, LLC, d/b/a Motor City Casino Hotel [Docket No. 1785]; (ii) MGM Grand Detroit, LLC [Docket No. 1786]; (iii) U.S. Bank [Docket No. 1797]; (iv) Hypothekenbank Frankfurt AG, Hypothekenbank Frankfurt International S.A., and Erste Europäische Pfandbrief-Und Kommunalkreditbank Aktiengesellschaft in Luxemburg S.A. and FMS Wertmanagement Service GMBH [Docket No. 1835]; (v) the Michigan Council 25 of the American Federation of State, County & Municipal Employees, AFL-CIO and Sub-Chapter 98, City of Detroit Retirees [Docket No. 1838]; (vi) Assured Guaranty Municipal Corp. [Docket No. 1842]; (vii) the Retiree Association Parties [Docket No. 1844]; (viii) Financial Guaranty Insurance Company [Docket No. 1847]; (ix) Ambac Assurance Corporation [Docket No. 1851]; (x) Wilmington Trust Company, National Association [Docket No. 1852]; (xi) David Sole [Docket No. 1857]; (xii) National Public Finance Guarantee Corporation [Docket No. 1863]; (xiii) the Detroit Retirement Systems [Docket No. 1867]; (xiv) Syncora Guarantee Inc. and Syncora Capital Assurance, Inc. [Docket No. 1870] and (xv) the Center for Community Justice and Advocacy [Docket No. 1873]. In addition, the Official Committee of Retirees filed a response in support of the Financing Motion [Docket No. 1868].

4. The City submits that it requires more than thirty pages to meaningfully reply to the myriad of issues raised in the Objections — several of which themselves approach or even exceed the 25-page limit set forth in Local Civil Rule 7.1(d)(3)(A), made applicable in this case by Local Bankruptcy Rule 9029-1(a). Accordingly, the City respectfully requests that it be (a) granted relief from the page limit for reply briefs imposed by paragraph 3 of the Motion Procedure Order and (b) permitted to file its Reply in excess of thirty pages in length.

WHEREFORE, the City respectfully requests that this Court: (i) enter an order substantially in the form attached hereto as Exhibit 1, granting the relief sought herein; and (ii) grant such other and further relief to the City as the Court may deem proper.

Dated: December 10, 2013

Respectfully submitted,

/s/ David G. Heiman

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ATTORNEYS FOR THE CITY

SUMMARY OF ATTACHMENTS

The following documents are attached to this Motion, labeled in accordance with Local Rule 9014-1(b).

Exhibit 1	Proposed Form of Order
Exhibit 2	None [Motion Seeks <i>Ex Parte</i> Relief]
Exhibit 3	None [Brief Not Required]
Exhibit 4	Certificate of Service
Exhibit 5	None [No Affidavits Filed Specific to This Motion]
Exhibit 6	None [No Documentary Exhibits Filed Specific to this Motion]

EXHIBIT 1

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

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In re	: Chapter 9
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CITY OF DETROIT, MICHIGAN,	: Case No. 13-53846
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Debtor.	: Hon. Steven W. Rhodes
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**EX PARTE ORDER AUTHORIZING
CITY TO FILE A REPLY IN EXCESS OF PAGE LIMIT**

This matter coming before the Court on the *Ex Parte* Motion of City for an Order Authorizing it to File a Reply in Excess of Page Limit (the “Motion”),¹ filed by the City of Detroit, Michigan (the “City”); and the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The City is granted relief from the page limit for reply briefs set forth in paragraph 3 of the Motion Procedure Order and may file its Reply in excess of 30 pages.

¹ Capitalized terms not otherwise defined herein have the meanings given to them in the Motion.

EXHIBIT 4

CERTIFICATE OF SERVICE

I, David G. Heiman, hereby certify that the foregoing *Ex Parte* Motion of City For an Order Authorizing it to File a Reply in Excess of Page Limit was filed and served via the Court's electronic case filing and noticing system on this 10th day of December, 2013.

/s/ David G. Heiman